

2104-85

U.S. DISTRICT COURT

R. Brett Kelly
DEORCHIS & PARTNERS, LLP
Organized in New York
1495 Morris Avenue
Union, New Jersey 07083-6332
(973) 467-4740

2010 MAR -5 P 1:25

Attorneys for Defendant
SCHUMACHER CARGO LOGISTICS, INC.

-----X
KENNETH MARSH,

Plaintiff,

- against -

SCHUMACHER CARGO LOGISTICS, INC.

Defendant.
-----X

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

NEWARK VICINAGE

Civil Action No. 10-1077 (JLL)

**NOTICE OF REMOVAL
PURSUANT TO 28 U.S.C. § 1446(a)**

NOTICE OF REMOVAL

Defendant SCHUMACHER CARGO LOGISTICS, INC. ("SCHUMACHER") hereby removes this action to the United States District Court for the District of New Jersey stating as follows:

1. **ORIGINAL ACTION:** This action was originally filed in the Superior Court of New Jersey, Essex County, Docket No. ESX-L-346-10.

2. **GROUND FOR REMOVAL:** The District Court would have original jurisdiction over this case under 28 U.S.C. §§ 1331 and 1333 in that Plaintiff's claim is actually for breach of a maritime contract which arises under Title 46 U.S.C. §§ 1300-1315, and/or under the

federal statutory and common law of the United States as it applies to international and interstate carriers and transportation. Specifically, this action seeks compensation for loss of cargo being moved in international and interstate commerce and this claim has been brought against Defendants pursuant to obligations allegedly imposed upon Defendants in their individual capacities as corporation that “has specialized in international car shipping.” Additionally, Plaintiff has alleged in the Complaint that:

- a) Prior to July 30, 2009, arrangements were made with Schumacher to have the Camaro shipped to Israel. *Complaint* ¶ 6.

3. Thus this Honorable Court has original jurisdiction over the case pursuant to 28 U.S.C. §§ 1331 and 1333; this Honorable Court therefore has removal jurisdiction pursuant to 28 U.S.C. § 1441(a); and removal of this action is not otherwise prohibited by 28 U.S.C. §§ 1441(b), 1445(b).

4. **Copies of Materials Served on Defendant:** Copies of the Summons and Complaint served on Defendant is attached hereto; no other process, pleadings, or orders have been served on Defendant.

5. **Timeliness of Removal:** The Summons and Complaint were served on Defendant SCHUMACHER on February 3, 2010 and as such this Notice of Removal is timely.

6. **Notice to the Plaintiff and Filing with the Clerk of the State Court:** Defendant, by and through its undersigned counsel, is serving this Notice of Removal upon the Plaintiff via United States Mail and are filing a copy of same with the Clerk of Court for the Superior Court of New Jersey, Essex County, simultaneously with filing it with the Clerk of Court for this Court.

7. No previous application for the relief sought here has been made to this or any other court.

WHEREFORE, Petitioner prays that this Court grant the removal of this action to the District Court of the United States for the District of New Jersey, in which District this suit is pending.

Dated: Union, New Jersey
March 5, 2010

DEORCHIS & PARTNERS, LLP
Attorneys for Defendant
SCHUMACHER CARGO LOGISTICS, INC.

By: S/ R. Brett Kelly
R. Brett Kelly
1495 Morris Avenue
Union, New Jersey 07083-6332
(973) 467-4740
Our File: 2104-84

TO: TROUTMAN SANDERS LLP
The Legal Center
One Riverfront Plaza, 3rd Floor
1037 Raymond Boulevard
Newark, NJ 07102
(973) 645-0772
Attn: Mark I. Schlesinger, Esq.

CERTIFICATION

I, R. Brett Kelly, hereby certify that I caused a copy of this document has been served on all counsel of record pursuant to the requirements of the Federal Rules of Civil Procedure..

I swear under penalty of perjury that the foregoing is true and correct.

Dated: Union, New Jersey
March 5, 2010


R. Brett Kelly

Attorney(s) Mark I. Schlesinger, Esq.
 Office Address Troutman Sanders LLP
1037 Raymond Blvd., Suite 330
 Town, State, Zip Code Newark, NJ 07102
 Telephone Number (973) 645-0772
 Attorney(s) for Plaintiff Kenneth Marsh

Kenneth Marsh
 Plaintiff(s)

Vs.

Schumacher Cargo Logistics, Inc.

Defendant(s)

Superior Court of New Jersey

Essex COUNTY
Law DIVISION

Docket No: ESX L-946-10

CIVIL ACTION SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: 02/02/2010

Jennifer M. Perez
 Jennifer M. Perez,
 Acting Clerk of the Superior Court

Name of Defendant to Be Served: Schumacher Cargo

Address of Defendant to Be Served: 688 S. 21 St., Irvington,

NOTE: The Case Information Statement is available at <http://www.njcourtsonline.com>

DIRECTORY OF SUPERIOR COURT DEPUTY CLERK'S OFFICES COUNTY LAWYER REFERRAL AND LEGAL SERVICES OFFICES

ATLANTIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., First Fl.
Atlantic City, NJ 08401

LAWYER REFERRAL

(609) 345-3444
LEGAL SERVICES
(609) 348-4200

BERGEN COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Room 115
Justice Center, 10 Main St.
Hackensack, NJ 07601

LAWYER REFERRAL

(201) 488-0044
LEGAL SERVICES
(201) 487-2166

BURLINGTON COUNTY:

Deputy Clerk of the Superior Court
Central Processing Office
Attn: Judicial Intake
First Fl., Courts Facility
49 Rancocas Rd.
Mt. Holly, NJ 08060

LAWYER REFERRAL

(609) 261-4862
LEGAL SERVICES
(800) 496-4570

CAMDEN COUNTY:

Deputy Clerk of the Superior Court
Civil Processing Office
Hall of Justice
1st Fl., Suite 150
101 South 5th Street
Camden, NJ 08103

LAWYER REFERRAL

(856) 964-2520
LEGAL SERVICES
(856) 964-2010

CAPE MAY COUNTY:

Deputy Clerk of the Superior Court
5 N. Main Street
Cape May Court House, NJ 08210

LAWYER REFERRAL

(609) 463-6313
LEGAL SERVICES
(609) 465-3001

CUMBERLAND COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
60 West Broad Street
P.O. Box 10
Bridgeton, NJ 08302

LAWYER REFERRAL

(856) 692-6207
LEGAL SERVICES
(856) 451-0003

ESSEX COUNTY:

Deputy Clerk of the Superior Court
Civil Customer Service
Hall of Records, Room 201
685 Dr. Martin Luther King Jr. Blvd.
Newark, NJ 07102

LAWYER REFERRAL

(973) 622-6204
LEGAL SERVICES
(973) 624-4500

GLOUCESTER COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
Attn: Intake
First Fl., Court House
1 North Broad Street
Woodbury, NJ 08096

LAWYER REFERRAL

(856) 848-4589
LEGAL SERVICES
(856) 848-5360

HUDSON COUNTY:

Deputy Clerk of the Superior Court
Superior Court, Civil Records Dept.
Brennan Court House—1st Floor
583 Newark Ave.
Jersey City, NJ 07306

LAWYER REFERRAL

(201) 798-2727
LEGAL SERVICES
(201) 792-6363

HUNTERDON COUNTY:

Deputy Clerk of the Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822

LAWYER REFERRAL

(908) 735-2611
LEGAL SERVICES
(908) 782-7979

MERCER COUNTY:

Deputy Clerk of the Superior Court
Local Filing Office, Courthouse
175 S. Broad Street, P.O. Box 8068
Trenton, NJ 08650

LAWYER REFERRAL

(609) 585-5200
LEGAL SERVICES
(609) 695-6249

MIDDLESEX COUNTY:

Deputy Clerk of the Superior Court,
Middlesex Vicinage
28th Floor - Tower
55 Paterson Street, P.O. Box 2633
New Brunswick, NJ 08903-2633

LAWYER REFERRAL

(732) 828-0053
LEGAL SERVICES
(732) 249-7800

MONMOUTH COUNTY:

Deputy Clerk of the Superior Court
Court House
P.O. Box 1269
Freehold, NJ 07728-1269

LAWYER REFERRAL

(732) 431-3544
LEGAL SERVICES
(732) 866-0020

MORRIS COUNTY:

Morris County Courthouse
Civil Division
Washington and Court Streets
P.O. Box 910
Morristown, NJ 07963-0910

LAWYER REFERRAL

(973) 267-5882
LEGAL SERVICES
(973) 285-6911

OCEAN COUNTY:

Deputy Clerk of the Superior Court
118 Washington Street, Room 121
P.O. Box 2191
Toms River, NJ 08754-2191

LAWYER REFERRAL

(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division
Court House
77 Hamilton Street
Paterson, NJ 07505

LAWYER REFERRAL

(973) 278-9223
LEGAL SERVICES
(973) 523-2900

SALEM COUNTY:

Deputy Clerk of the Superior Court
Attn: Civil Case Management Office
92 Market Street
Salem, NJ 08079

LAWYER REFERRAL

(856) 678-8363
LEGAL SERVICES
(856) 451-0003

SOMERSET COUNTY:

Deputy Clerk of the Superior Court
Civil Division
P.O. Box 3000
40 North Bridge Street
Somerville, N.J. 08876

LAWYER REFERRAL

(908) 685-2323
LEGAL SERVICES
(908) 231-0840

SUSSEX COUNTY:

Deputy Clerk of the Superior Court
Sussex County Judicial Center
43-47 High Street
Newton, NJ 07860

LAWYER REFERRAL

(973) 267-5882
LEGAL SERVICES
(973) 383-7400

UNION COUNTY:

Deputy Clerk of the Superior Court
1st Fl., Court House
2 Broad Street
Elizabeth, NJ 07207-6073

LAWYER REFERRAL

(908) 353-4715
LEGAL SERVICES
(908) 354-4340

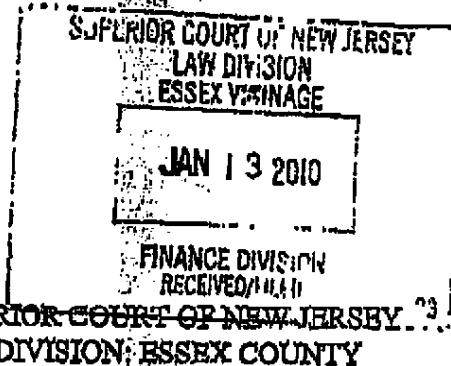
WARREN COUNTY:

Deputy Clerk of the Superior Court
Civil Division Office
Court House
433 Second Street
Belvidere, NJ 07823-1500

LAWYER REFERRAL

(973) 267-5882
LEGAL SERVICES
(908) 475-2010

Mark L. Schlessinger, Esq.
TROUTMAN SANDERS LLP
The Legal Center
One Riverfront Plaza, 3rd Floor
1037 Raymond Boulevard
Newark, New Jersey 07102
973-645-0772
Attorneys for Plaintiff



KENNETH MARSH

Plaintiff,

vs.

SCHUMACHER CARGO LOGISTICS, INC.

Defendant.

Docket No.: **ESX L-346-10**

Civil Action

COMPLAINT

Plaintiff, Kenneth Marsh, by and through his counsel, Troutman Sanders LLP, by way of this Complaint, hereby alleges and says:

1. Plaintiff Kenneth Marsh ("Marsh") resides in the State of Ohio and has an address of 6555 Monterey Drive, Mayfield Heights, Ohio 44124.

2. Defendant Schumacher Cargo Logistics, Inc. ("Schumacher") is a California corporation authorized to do business in New Jersey having an address at 688 South 21st Street, Irvington, New Jersey 07111.

3. On its web site, www.schumachercargo.com, Schumacher states that it "has specialized in international car shipping since 1977," avers that "[y]ou can be confident that your vehicle[s] will arrive at their destinations in the same condition you handed them over to us" and claims that "whether you are moving a car . . . you will be comfortable knowing that our shipping company will take care of all aspects of your relocation needs."

4. On its web site, www.schumachercargo.com, Schumacher further represents that "[w]hile contents are in a Schumacher Cargo Logistics warehouse or at one of our many international handling agents warehouses, contents are insured by warehouse coverage for a limited time."

5. Marsh is the owner of a fully-restored 1969 Chevrolet Camaro bearing VIN 124379N641081 (the "Camaro").

6. Prior to July 30, 2009, arrangements were made with Schumacher to have the Camaro shipped to Israel.

7. On July 30, 2009, the Camaro was delivered to Schumacher's facility located at 688 South 21st Street, Irvington, NJ 07111.

8. Upon delivery of the Camaro to its Irvington facility, Schumacher took control of the Camaro, issued an Auto Inspection & Receipt Report, Inventory & Exception Report dated July 30, 2009 and took photographs of the Camaro.

9. Upon information and belief, Schumacher then parked the Camaro in Schumacher's outdoor, unguarded lot.

10. On August 2, 2009, the Camaro was stolen from Schumacher's outdoor, unguarded lot.

11. Schumacher has acknowledged to Marsh "that due to a break in at our Irvington, NJ 07111 warehouse/yard on August 2, 2009 your cargo was stolen as a result of this break in. . . We apologize [sic] for any inconvenience this may cause you as we continue to assist with the claim process professionally and promptly with your assistance & cooperation."

12. Marsh has fully cooperated with Schumacher and has supplied Schumacher with all information requested of him.

13. Despite due demand and contrary to its representations as set forth in paragraphs 3 and 4 above, Schumacher has failed and refused to reimburse Marsh for the loss of the Camaro entrusted to it that was stolen from its unguarded outdoor lot.

FIRST COUNT

14. Plaintiff repeats and realleges as if fully set forth paragraphs 1 through 13 of this complaint.

15. Schumacher negligently failed to exercise reasonable and ordinary care with respect to the Camaro.

WHEREFORE, plaintiff Kenneth Marsh demands judgment against defendant Schumacher Cargo Logistics, Inc. for compensatory damages with interest, costs of suit and such other relief as the Court deems just and proper.

SECOND COUNT

16. Plaintiff repeats and realleges as if fully set forth paragraphs 1 through 15 of this complaint.

17. The services offered by Schumacher are "merchandise" within the scope of the Consumer Fraud Act, N.J.S.A. 56:8-1(c).

18. The representations set forth in paragraph 3 and 4 and Schumacher's failure and refusal to reimburse Marsh for the theft of his Camaro from Schumacher's facility constitute an unconscionable commercial practice, deception, fraud, falsity or misrepresentation in connection with the sale of Schumacher's services.

19. As a result of Schumacher's conduct, Marsh has suffered an ascertainable loss of money and property as set forth above.

WHEREFORE, plaintiff Kenneth Marsh demands judgment against defendant Schumacher Cargo Logistics, Inc. for compensatory damages with interest, treble damages, a reasonable attorneys' fee, costs of suit and such other relief as the Court deems just and proper.

JURY DEMAND

Plaintiff Kenneth Marsh demands trial by jury as to all issues in the above matter.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to New Jersey Court Rule 4:10-2(b), demand is made that defendant disclose to plaintiff's attorney whether or not there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or indemnify or reimburse for payments made to satisfy the judgment and provide plaintiff's attorney with true copies of those insurance agreements or policies, including, but not limited to, any and all declaration sheets. This demand shall include and cover not only primary coverage, but also any and all excess, catastrophe and umbrella policies.

CERTIFICATE OF SERVICE UPON THE ATTORNEY GENERAL

In accordance with N.J.S.A. 56:8-20, plaintiff will mail a copy of this complaint to the Attorney General within 10 days after the filing of such pleading with the Court.

DESIGNATION OF TRIAL COUNSEL

In accordance with R. 4:25-4, Mark I. Schlesinger, Esq., is hereby designated as trial counsel for the plaintiff, Kenneth Marsh, in the above matter.

CERTIFICATION

I hereby certify that the matter in controversy is not the subject of any action pending in any other court or in any other pending arbitration proceeding, nor is any such action or proceeding contemplated by this plaintiff at this time. There are no additional parties known to the undersigned at this time who should be joined in this action.



Dated: Newark, New Jersey
January 12, 2010

TROUTMAN SANDERS LLP

By: 
Mark I. Schlesinger

Attorneys for Plaintiff

Appendix XII-B1

CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY	
 <p>Use for Initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or if attorney's signature is not affixed.</p>		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CA <input type="checkbox"/> OA CHG/CK NO. AMOUNT: OVERPAYMENT: BATCH NUMBER:	
ATTORNEY/PRO SE NAME Mark I. Schleisinger	TELEPHONE NUMBER (978) 845-0772	COUNTY OF VENUE Essex	
FIRM NAME (if applicable) Troutman Sanders LLP	DOCKET NUMBER (When available) ESX-346-10		
OFFICE ADDRESS The Legal Center, One Riverside Plaza, 1037 Raymond Boulevard, Suite 330, Newark, NJ 07102	DOCUMENT TYPE Complaint		
		JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
NAME OF PARTY (e.g., John Doe, Plaintiff) Kenneth Marsh	CAPTION Kenneth Marsh, Plaintiff against Schumacher Cargo Logistics, Inc., Defendant		
CASE TYPE NUMBER (See reverse side for listing) 599	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, LIST DOCKET NUMBERS 70		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY, IF KNOWN FIRST OF NEW JERSEY UNKNOWN		
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, IS THAT RELATIONSHIP <input type="checkbox"/> EMPLOYER-EMPLOYEE <input type="checkbox"/> FAMILIAL	<input type="checkbox"/> FRIEND/NEIGHBOR <input checked="" type="checkbox"/> BUSINESS EXPLAIN: 03/2010	
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION. <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> RECEIVED FINANCE DIVISION 03/05/10 </div>			
<input checked="" type="checkbox"/> DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION:			
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, FOR WHAT LANGUAGE:			
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE: 			

SIDE 2



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 418-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I — 150 days' discovery

- 161 NAME CHANGE
- 173 FORFEITURE
- 302 TENANCY
- 309 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 603 OTHER INSURANCE CLAIM (INCLUDING DECLARATORY JUDGMENT ACTIONS)
- 806 PIP COVERAGE
- 810 UM or UM CLAIM
- 811 ACTION ON NEGOTIABLE INSTRUMENT
- 812 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (SUMMARY ACTION)
- 999 OTHER (Briefly describe nature of action)

Track II — 300 days' discovery

- 308 CONSTRUCTION
- 508 EMPLOYMENT (other than CEPA or LAD)
- 509 CONTRACT/COMMERCIAL TRANSACTION
- 603 AUTO NEGLIGENCE — PERSONAL INJURY
- 808 PERSONAL INJURY
- 810 AUTO NEGLIGENCE — PROPERTY DAMAGE
- 999 TORT — OTHER

Track III — 450 days' discovery

- 006 CIVIL RIGHTS
- 307 CONDEMNATION
- 402 ASSAULT AND BATTERY
- 508 MEDICAL MALPRACTICE
- 508 PRODUCT LIABILITY
- 507 PROFESSIONAL MALPRACTICE
- 508 TOXIC TORT
- 508 DEFAMATION
- 518 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 517 INVERSE CONDEMNATION
- 518 LAW AGAINST DISCRIMINATION (LAD) CASES
- 620 FALSE CLAIMS ACT

Track IV — Active Case Management by Individual Judge / 450 days' discovery

- 158 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 302 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 601 ACTIONS IN LIEU OF PREROGATIVE WRITS

Centrally Managed Litigation (Track IV)

- 280 Zelnorm
- 285 Stryker Trident Hip Implants

Mass Tort (Track IV)

- 279 OHA GEIGY
- 280 HORMONE REPLACEMENT THERAPY (HRT)
- 271 ACUTANE
- 272 BEXTRA/CHLORAL
- 274 RISPERDAL/ERQUEL/ZYPREXA
- 275 ORTHO EVRA
- 277 MANWAH TOXIC DUMP SITE
- 278 ZOMETHA/AREXIA

- 279 GADOLINIUM
- 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL
- 282 FOGAMAX
- 283 DIGITEK
- 284 NUVAERING
- 285 LEVAQUIN
- 501 ASBESTOS
- 519 VIOXX

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check on each applicable category:

☐ Verbal Threshold

☐ Putative Class Action

☐ Title 59

BERK COUNTY - CIVIL DIVISION
SUPERIOR COURT OF NJ
455 MARTIN LUTHER KING JR BLVD
NEWARK
NJ 07102

COURT TELEPHONE NO. (973) 653-6851
COURT HOURS

TRACK ASSIGNMENT NOTICE

FILED: JANUARY 14, 2010
DATE: JANUARY 14, 2010
CASE: WAREH VS SCHWABER CARGO LOGISTICS INC
DOCKET: ESX L -000346 10

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND ELIGIBLE FROM THE FIRST ASSESSOR ON 90 DAYS FROM SERVICE ON THE FIRST DEFENDANT, WHOEVER COMES FIRST.

THE PRESIDENT JUDGE ASSIGNED IS: HON AND M. ROSENBERG

IF YOU HAVE ANY QUESTIONS, CONTACT THEM 002
AT: (973) 653-6513 EXT 6529.

IF YOU BELIEVE THAT THE TRACK IS IMPROPERLY YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR MOTION.
PLAINTIFF MUST SHOW COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH E-4-2A-2.

ATTENTION:

ATT: MARK I. SCHLESINGER
THOMSON SANDERS LLP
THE LEGAL CENTER
ONE RIVERVIEW PLAZA, 3RD FL
NEWARK NJ 07102

JUDGE